

96TH CONGRESS
2D SESSION

H. J. RES. 610

[Report No. 96-1327]

IN THE HOUSE OF REPRESENTATIVES

SEPTEMBER 16, 1980

Mr. WHITTEN introduced the following joint resolution; which was referred to the Committee on Appropriations

SEPTEMBER 17, 1980

Reported with an amendment, committed to the Committee of the Whole House on the State of the Union, and ordered to be printed

[Insert the part printed in italic]

JOINT RESOLUTION

Making continuing appropriations for the fiscal year 1981, and for other purposes.

1 *Resolved by the Senate and House of Representatives*
2 *of the United States of America in Congress assembled,*
3 That the following sums are appropriated, out of any money
4 in the Treasury not otherwise appropriated, and out of appli-
5 cable corporate or other revenues, receipts, and funds, for the
6 several departments, agencies, corporations, and other orga-
7 nizational units of the Government for the fiscal year 1981,
8 and for other purposes, namely:

1 SEC. 101. (a)(1) Such amounts as may be necessary for
2 projects or activities (not otherwise specifically provided for
3 in this joint resolution) for which appropriations, funds, or
4 other authority would be available in the following appropri-
5 ation Acts:

6 Agriculture, Rural Development, and Related
7 Agencies Appropriation Act, 1981;

8 Department of Defense Appropriation Act, 1981;

9 District of Columbia Appropriation Act, 1981;

10 Department of Housing and Urban Develop-
11 ment—Independent Agencies Appropriation Act, 1981;

12 Department of the Interior and Related Agencies
13 Appropriation Act, 1981;

14 Departments of Labor, Health and Human Serv-
15 ices, and Education, and Related Agencies Appropri-
16 ation Act, 1981;

17 Military Construction Appropriation Act, 1981;

18 Departments of State, Justice, and Commerce,
19 the Judiciary, and Related Agencies Appropriation
20 Act, 1981;

21 Department of Transportation and Related Agcn-
22 cies Appropriation Act, 1981; and

23 Treasury, Postal Service, and General Govern-
24 ment Appropriation Act, 1981.

1 (2) Appropriations made by this subsection shall be
2 available to the extent and in the manner which would be
3 provided by the pertinent appropriation Act.

4 (3) Whenever the amount which would be made availa-
5 ble or the authority which would be granted under an Act
6 listed in this subsection as passed by the House as of October
7 1, 1980, is different from that which would be available or
8 granted under such Act as passed by the Senate as of Octo-
9 ber 1, 1980, the pertinent project or activity shall be contin-
10 ued under the lesser amount or the more restrictive authori-
11 ty: *Provided*, That where an item is included in only one
12 version of an Act as passed by both Houses as of October 1,
13 1980, the pertinent project or activity shall be continued
14 under the appropriation, fund, or authority granted by the
15 one House, but at a rate for operations not exceeding the
16 current rate or the rate permitted by the action of the one
17 House, whichever is lower, and under the authority and con-
18 ditions provided in applicable appropriation Acts for the fiscal
19 year 1980.

20 (4) Whenever an Act listed in this subsection has been
21 passed by only the House as of October 1, 1980, the perti-
22 nent project or activity shall be continued under the appropri-
23 ation, fund, or authority granted by the House, at a rate for
24 operations not exceeding the rate permitted by the action of

1 the House, and under the authority and conditions provided
2 in applicable appropriation Acts for the fiscal year 1980.

3 (5) No provision which is included in an appropriation
4 Act enumerated in this subsection but which was not includ-
5 ed in the applicable appropriation Act of 1980, and which by
6 its terms is applicable to more than one appropriation, fund,
7 or authority shall be applicable to any appropriation, fund, or
8 authority provided in the joint resolution unless such provi-
9 sion shall have been included in identical form in such bill as
10 enacted by both the House and the Senate.

11 (b) Notwithstanding section 10 of Public Law 91-672,
12 and section 15(a) of the Act entitled, "An Act to provide
13 certain basic authority for the Department of State", ap-
14 proved August 1, 1956, as amended, such amounts as may
15 be necessary for continuing projects or activities which were
16 conducted in fiscal year 1980 and would be provided for in
17 H.R. 7854, the Foreign Assistance and Related Programs
18 Appropriation Act, 1981, as reported July 29, 1980, at a
19 rate of operations not in excess of the current rate or the rate
20 provided in the budget estimates, whichever is lower, and
21 under the more restrictive authority.

22 (c) Such amounts as may be necessary for continuing
23 projects and activities under all the conditions and to the
24 extent and in the manner as provided in H.R. 7593, entitled

1 the Legislative Branch Appropriation Act, 1981, as passed
2 the House of Representatives, July 21, 1980.

3 (d) Such amounts as may be necessary for continuing
4 the following activities not otherwise provided for, which
5 were conducted in fiscal year 1980, but at a rate for oper-
6 ations not in excess of the current rate: *Provided, That no*
7 *appropriation or fund made available or authority granted*
8 *pursuant to this subsection shall be used to initiate or resume*
9 *any project or activity for which appropriations, funds, or*
10 *authority were not available during fiscal year 1980:*

11 activities of the Council on Wage and Price
12 Stability;

13 activities of the Economic Development Adminis-
14 tration including salaries and expenses;

15 activities of the Regional Action Planning
16 Commissions;

17 activities of the Judiciary under the heading
18 "Pretrial Services Agencies";

19 activities for which provision is made in the
20 Energy and Water Development Appropriation Act,
21 1981, as passed the House of Representatives on
22 June 25, 1980: *Provided, That appropriations and*
23 *funds made available to the Appalachian Regional*
24 *Commission, including the Appalachian Regional De-*
25 *velopment Programs, by this or any other Act shall be*

1 used by the Commission in accordance with the provi-
2 sions of the applicable appropriation Act and pursuant
3 to the Appalachian Regional Development Act of
4 1965, as amended, notwithstanding the provisions of
5 section 405 of said Act;

6 activities of the Department of Housing and
7 Urban Development under the heading "Annual contrib-
8 utions for assisted housing";

9 activities of the National Aeronautics and Space
10 Administration under the heading "Research and
11 development";

12 activities for which disbursements are made by
13 the Secretary of the Senate, and the Senate items
14 under the Architect of the Capitol;

15 activities of the Water Resources Council;

16 activities of the National Health Service Corps
17 under section 338(a) of the Public Health Service Act;

18 activities for support of nursing research under
19 section 301 of the Public Health Service Act;

20 activities for support of health professions educa-
21 tion and nurse training under titles VII and VIII of
22 the Public Health Service Act;

23 activities under the Community Mental Health
24 Centers Act; and

1 activities under title IV, part A, subparts 2 and 3,
2 and title VII of the Comprehensive Employment and
3 Training Act.

4 (e) Such amounts as may be necessary to permit pay-
5 ments and assistance mandated by law for the following ac-
6 tivities under the terms, conditions and limitations included in
7 the applicable appropriation Act for 1980:

8 activities under title IV of the Federal Mine
9 Health and Safety Act of 1977;

10 activities under the Social Security Act;

11 retirement pay and medical benefits for commis-
12 sioned officers of the Public Health Service;

13 activities under title IV, part B, of the Higher
14 Education Act;

15 notwithstanding any other provision of this joint
16 resolution except section 102, activities of the Depart-
17 ment of Labor, Employment and Training Administra-
18 tion for “Federal unemployment benefits and
19 allowances” and “Advances to the unemployment trust
20 fund and other funds”;

21 activities of the Department of Labor, Employ-
22 ment Standards Administration for “Special benefits”
23 and “Black Lung Disability Trust Fund”;

24 Veterans Administration “Compensation and pen-
25 sions”; and

1 Veterans Administration “Readjustment benefits”.

2 (f) Such amounts as may be necessary for fiscal year
3 1981 for Department of Energy, Operating Expenses,
4 Energy Supply, Research and Development Activities, to
5 carry out the breeder reactor demonstration project or project
6 alternative approved by Congress in authorizing legislation,
7 and for no other purpose, at the current rate of operations
8 notwithstanding the provisions of section 102 of this joint
9 resolution.

10 (g) Notwithstanding section 15(a) of the Act entitled
11 "An Act to provide certain basic authority for the Depart-
12 ment of State", approved August 1, 1956, as amended, and
13 section 10 of Public Law 91-672, activities of the Depart-
14 ment of State to process, maintain, return or resettle Cuban
15 and Haitian entrants shall be funded at not to exceed an
16 annual rate provided in the budget estimate.

17 (h) Notwithstanding section 101(a) of this joint resolu-
18 tion, such amounts as may be necessary to continue the low
19 income energy assistance program under the terms, condi-
20 tions, and State allocations provided for in H.R. 7998 as
21 passed the House of Representatives August 27, 1980, and
22 in House Report 96-1244.

23 SEC. 102. Appropriations and funds made available and
24 authority granted pursuant to this joint resolution shall be
25 available from October 1, 1980, and shall remain available

1 until (a) enactment into law of an appropriation for any proj-
2 ect or activity provided for in this joint resolution, or (b) en-
3 actment of the applicable appropriation Act by both Houses
4 without any provision for such project or activity, or (c)
5 December 15, 1980, whichever first occurs.

6 SEC. 103. Appropriations and funds made available or
7 authority granted pursuant to this joint resolution may be
8 used without regard to the time limitations for submission
9 and approval of apportionments set forth in section 665(d)(2)
10 of title 31, United States Code, but nothing herein shall be
11 construed to waive any other provision of law governing the
12 apportionment of funds.

13 SEC. 104. Appropriations made and authority granted
14 pursuant to this joint resolution shall cover all obligations or
15 expenditures incurred for any project or activity during the
16 period for which funds or authority for such projects or
17 activity are available under this joint resolution.

18 SEC. 105. Expenditures made pursuant to this joint res-
19 olution shall be charged to the applicable appropriation, fund,
20 or authorization whenever a bill in which such applicable ap-
21 propriation, fund, or authorization is contained is enacted into
22 law.

23 SEC. 106. Any appropriation for the fiscal year 1981
24 required to be apportioned pursuant to section 665 of title 31,
25 United States Code, may be apportioned on a basis indicating

1 the need (to the extent any such increases cannot be absorbed
2 within available appropriations) for a supplemental or defi-
3 ciency estimate of appropriation to the extent necessary to
4 permit payment of such pay increases as may be granted
5 pursuant to law to civilian officers and employees and to
6 active and retired military personnel. Each such appropri-
7 ation shall otherwise be subject to the requirements of section
8 665 of title 31, United States Code.

9 SEC. 107. All obligations incurred in anticipation of the
10 appropriations and authority provided in this joint resolution
11 for the purposes of maintaining the minimum level of essen-
12 tial activities necessary to protect life and property and
13 bringing about orderly termination of other functions are
14 hereby ratified and confirmed if otherwise in accordance with
15 the provisions of this joint resolution.

16 SEC. 108. No provision in any appropriation Act for the
17 fiscal year 1981 that makes the availability of any appropri-
18 ation provided therein dependent upon the enactment of addi-
19 tional authorizing or other legislation shall be effective before
20 the date set forth in section 102(c) of this joint resolution.

21 SEC. 109. Notwithstanding any other provision of this
22 joint resolution except section 102, none of the funds made
23 available by this joint resolution for programs and activities
24 for which appropriations would be available in H.R. 7998,
25 entitled the Departments of Labor, Health and Human Serv-

1 ices, and Education, and Related Agencies Appropriation
2 Act, 1981, as passed the House of Representatives on
3 August 27, 1980, shall be used to prevent the implementa-
4 tion of programs of voluntary prayer and meditation in the
5 public schools.

6 SEC. 110. Notwithstanding any other provision of this
7 joint resolution except section 102, none of the funds made
8 available by this joint resolution for programs and activities
9 for which appropriations would be available in H.R. 7998,
10 entitled the Departments of Labor, Health and Human Serv-
11 ices, and Education, and Related Agencies Appropriation
12 Act, 1981, as passed the House of Representatives on
13 August 27, 1980, shall be used to perform abortions except
14 where the life of the mother would be endangered if the fetus
15 were carried to term: *Provided however*, That the several
16 States are and shall remain free not to fund abortions to the
17 extent that they in their sole discretion deem appropriate.

18 SEC. 111. Notwithstanding any other provision of this
19 joint resolution except section 102, none of the funds made
20 available by this joint resolution for programs and activities
21 for which appropriations would be available in H.R. 7998,
22 entitled the Departments of Labor, Health and Human Serv-
23 ices, and Education, and Related Agencies Appropriation
24 Act, 1981, as passed the House of Representatives on
25 August 27, 1980, shall be expended pursuant to any order or

JOINT RESOLUTION

Making continuing appropriations for the fiscal year 1981, and for other purposes.

SEPTEMBER 16, 1980

Referred to the Committee on Appropriations

SEPTEMBER 17, 1980

Reported with an amendment, committed to the Committee of the Whole House on the State of the Union, and ordered to be printed